

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT



In re application : Robert S. Silvers
Application No. : 08/957,833
Filed : October 27, 1997
For : DIGITAL COMPOSITION FOR A MOSAIC IMAGE
Examiner : Not Assigned
Attorney's Docket : RTI-001XX

Group Art Unit: 2772

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Non-Fee Amendment, Assistant Commissioner for Patents Washington, D.C. 20231 on

2/3/99

By

Eugene A. Feher
Registration No. 33,171
Attorney for Applicant(s)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

It is desired to cite for the record in this application the enclosed articles and U.S. patents listed on the attached copy of PTO Form #1449.

Additionally, it is desired to bring to the Examiner's attention certain information related to one of the cited references, which is a copy of the cover of the November 1995 issue of Wired magazine. A Declaration of the inventor Mr. Robert Silvers is included herewith. As stated in the Declaration, Mr. Silvers created the image that appeared on the cover of the

November 1995 edition of Wired Magazine (Declaration, ¶ 5). However, the process used to create the image was different from the claimed subject matter of the present application (Declaration, ¶ 5). Also, the image itself does not disclose or suggest the claimed subject matter of the present application (Declaration, ¶ 6). Accordingly, it is believed that the pending claims of this application are allowable in view of all of the art of record.

The paragraph(s) marked below are applicable to this Information Disclosure Statement.

[] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached Information Disclosure Statement is being filed within three months of the filing date of the above identified national application or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 of the above identified application. Accordingly, applicant(s) believe that no fee or statement under 37 C.F.R. § 1.97(e) is required.

[X] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believe that no fee or statement under 37 C.F.R. § 1.97(e) is required.

- [] (3) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:
- [] a statement under 37 CFR §1.97(e); or
- [] the fee set forth in §1.17(p).

PETITION UNDER 37 CFR §1.97(d)

- [] (4) Pursuant to 37 CFR §1.97(d), applicant(s) hereby petition the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(i).

STATEMENT UNDER 37 C.F.R. § 1.97(e) (1)

- [] (5) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e) (2)

- [] (6) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a

counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

ROBERT S. SILVERS

By 2/8/99
Eugene A. Feher
Registration No. 33,171
Attorney for Applicant(s)

WEINGARTEN, SCHURGIN,
GAGNEBIN & HAYES LLP
Ten Post Office Square
Boston, Massachusetts 02109

Telephone: (617) 542-2290
Telecopier: (617) 451-0313

Date: EAC

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